

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

GOLO, LLC

(b) County of Residence of First Listed Plaintiff New Castle, DE

(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

M. Kelly Tillery - PEPPER HAMILTON, LLP

3000 Two Logan Square, 18th & Arch Streets, Philadelphia, PA 19103

DEFENDANTS

ZOCO PRODUCTIONS, LLC; HARPO PRODUCTIONS, INC.;
MEHMET OZ, M.D. and KERI GLASSMAN

County of Residence of First Listed Defendant New Castle, DE

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION *(Place an "X" in One Box Only)*

- | | | | |
|----------------------------|------------------------------|---------------------------------------|---|
| <input type="checkbox"/> 1 | U.S. Government
Plaintiff | <input checked="" type="checkbox"/> 3 | Federal Question
<i>(U.S. Government Not a Party)</i> |
| <input type="checkbox"/> 2 | U.S. Government
Defendant | <input type="checkbox"/> 4 | Diversity
<i>(Indicate Citizenship of Parties in Item III)</i> |

III. CITIZENSHIP OF PRINCIPAL PARTIES *(Place an "X" in One Box for Plaintiff and One Box for Defendant)*

- | | PTF | DEF | | PTF | DEF |
|---|----------------------------|----------------------------|--|----------------------------|----------------------------|
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated <i>or</i> Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated <i>and</i> Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT		TORTS		FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/ Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input checked="" type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/ Accommodations <input type="checkbox"/> 445 Amer w/Disabilities - Employment <input type="checkbox"/> 446 Amer w/Disabilities - Other <input type="checkbox"/> 448 Education	PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement				

V. ORIGIN (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from Another District (specify) ☐ 6 Multidistrict Litigation - Transfer ☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity)
Lanham Act, 15 U.S.C. 1125 et seq.

Brief description of cause

Defendants have published false and misleading comments re: Plaintiff's product and Defendants' products

VII. REQUESTED IN COMPLAINT:

- ☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. DEMAND \$ _____
- CHECK YES only if demanded in complaint: JURY DEMAND: ☐ Yes ☐ No

**VIII. RELATED CASE(S)
IF ANY**

(See instructions)

JUDGE

DOCKET NUMBER

DATE _____

~~SIGNATURE OF ATTORNEY OF RECORD~~

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IEP

JUDGE

MAG. JUDGE

INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44**Authority For Civil Cover Sheet**

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I.(a) **Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
 - (b) **County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
 - (c) **Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. **Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.
- United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here. United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.
- Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.
- Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; NOTE: federal question actions take precedence over diversity cases.)
- III. **Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. **Nature of Suit.** Place an "X" in the appropriate box. If there are multiple nature of suit codes associated with the case, pick the nature of suit code that is most applicable. Click here for: [Nature of Suit Code Descriptions](#).
- V. **Origin.** Place an "X" in one of the seven boxes.
- Original Proceedings. (1) Cases which originate in the United States district courts.
- Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441. When the petition for removal is granted, check this box.
- Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
- Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.
- Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
- Multidistrict Litigation – Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407.
- Multidistrict Litigation – Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket.
- PLEASE NOTE THAT THERE IS NOT AN ORIGIN CODE 7. Origin Code 7 was used for historical records and is no longer relevant due to changes in statute.
- VI. **Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. Do not cite jurisdictional statutes unless diversity. Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service
- VII. **Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.
- Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.
- Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. **Related Cases.** This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

Date and Attorney Signature. Date and sign the civil cover sheet.

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF PENNSYLVANIA — DESIGNATION FORM to be used by counsel to indicate the category of the case for the purpose of assignment to appropriate calendar.

Address of Plaintiff: Golo, LLC - 630 Churchmans Road, Suite 200, Newark, Delaware, 19702.

Address of Defendant: ZOCO PRODUCTIONS, LLC - 1270 Avenue of the Americas, New York, NY 10020.

Place of Accident, Incident or Transaction: _____

(Use Reverse Side For Additional Space)

Does this civil action involve a nongovernmental corporate party with any parent corporation and any publicly held corporation owning 10% or more of its stock?

(Attach two copies of the Disclosure Statement Form in accordance with Fed.R.Civ.P. 7.1(a))

Yes ☐ No ☒

Does this case involve multidistrict litigation possibilities?

Yes ☐ No ☒

RELATED CASE, IF ANY:

Case Number: _____ Judge _____ Date Terminated: _____

Civil cases are deemed related when yes is answered to any of the following questions:

1. Is this case related to property included in an earlier numbered suit pending or within one year previously terminated action in this court?
Yes ☐ No ☒
2. Does this case involve the same issue of fact or grow out of the same transaction as a prior suit pending or within one year previously terminated action in this court?
Yes ☐ No ☒
3. Does this case involve the validity or infringement of a patent already in suit or any earlier numbered case pending or within one year previously terminated action in this court?
Yes ☐ No ☒
4. Is this case a second or successive habeas corpus, social security appeal, or pro se civil rights case filed by the same individual?
Yes ☐ No ☒

CIVIL: (Place ☒ in ONE CATEGORY ONLY)

A. Federal Question Cases:

1. ☐ Indemnity Contract, Marine Contract, and All Other Contracts
2. ☐ FELA
3. ☐ Jones Act-Personal Injury
4. ☐ Antitrust
5. ☐ Patent
6. ☐ Labor-Management Relations
7. ☐ Civil Rights
8. ☐ Habeas Corpus
9. ☐ Securities Act(s) Cases
10. ☐ Social Security Review Cases
11. ☒ All other Federal Question Cases
(Please specify) Lanham Act

B. Diversity Jurisdiction Cases:

1. ☐ Insurance Contract and Other Contracts
2. ☐ Airplane Personal Injury
3. ☐ Assault, Defamation
4. ☐ Marine Personal Injury
5. ☐ Motor Vehicle Personal Injury
6. ☐ Other Personal Injury (Please specify)
7. ☐ Products Liability
8. ☐ Products Liability — Asbestos
9. ☐ All other Diversity Cases

(Please specify) _____

ARBITRATION CERTIFICATION

(Check Appropriate Category)

I, M. Kelly Tillery, counsel of record do hereby certify:

- ☐ Pursuant to Local Civil Rule 53.2, Section 3(c)(2), that to the best of my knowledge and belief, the damages recoverable in this civil action case exceed the sum of \$150,000.00 exclusive of interest and costs;
- ☐ Relief other than monetary damages is sought.

DATE: 7/31/17

Attorney-at-Law

30380

Attorney I.D.#

NOTE: A trial de novo will be a trial by jury only if there has been compliance with F.R.C.P. 38.

I certify that, to my knowledge, the within case is not related to any case now pending or within one year previously terminated action in this court except as noted above.

DATE: 7/31/17

Attorney-at-Law

30380

Attorney I.D.#

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF PENNSYLVANIA — DESIGNATION FORM to be used by counsel to indicate the category of the case for the purpose of assignment to appropriate calendar.

Address of Plaintiff: Golo, LLC - 630 Churchmans Road, Suite 200, Newark, Delaware, 19702.

Address of Defendant: ZOCO PRODUCTIONS, LLC - 1270 Avenue of the Americas, New York, NY 10020.

Place of Accident, Incident or Transaction: _____
(Use Reverse Side For Additional Space)

Does this civil action involve a nongovernmental corporate party with any parent corporation and any publicly held corporation owning 10% or more of its stock?
(Attach two copies of the Disclosure Statement Form in accordance with Fed.R.Civ.P. 7.1(a)) Yes ☐ No ☒

Does this case involve multidistrict litigation possibilities? Yes ☐ No ☒

RELATED CASE, IF ANY:

Case Number: _____ Judge _____ Date Terminated: _____

Civil cases are deemed related when yes is answered to any of the following questions:

1. Is this case related to property included in an earlier numbered suit pending or within one year previously terminated action in this court?
Yes ☐ No ☒
2. Does this case involve the same issue of fact or grow out of the same transaction as a prior suit pending or within one year previously terminated action in this court?
Yes ☐ No ☒
3. Does this case involve the validity or infringement of a patent already in suit or any earlier numbered case pending or within one year previously terminated action in this court?
Yes ☐ No ☒
4. Is this case a second or successive habeas corpus, social security appeal, or pro se civil rights case filed by the same individual?
Yes ☐ No ☒

CIVIL: (Place ☒ in ONE CATEGORY ONLY)

A. Federal Question Cases:

1. ☐ Indemnity Contract, Marine Contract, and All Other Contracts
2. ☐ FELA
3. ☐ Jones Act-Personal Injury
4. ☐ Antitrust
5. ☐ Patent
6. ☐ Labor-Management Relations
7. ☐ Civil Rights
8. ☐ Habeas Corpus
9. ☐ Securities Act(s) Cases
10. ☐ Social Security Review Cases
11. ☒ All other Federal Question Cases
(Please specify) Lanham Act

B. Diversity Jurisdiction Cases:

1. ☐ Insurance Contract and Other Contracts
2. ☐ Airplane Personal Injury
3. ☐ Assault, Defamation
4. ☐ Marine Personal Injury
5. ☐ Motor Vehicle Personal Injury
6. ☐ Other Personal Injury (Please specify)
7. ☐ Products Liability
8. ☐ Products Liability — Asbestos
9. ☐ All other Diversity Cases

(Please specify) _____

ARBITRATION CERTIFICATION

(Check Appropriate Category)

I, M. Kelly Tillery, counsel of record do hereby certify:

- ☐ Pursuant to Local Civil Rule 53.2, Section 3(c)(2), that to the best of my knowledge and belief, the damages recoverable in this civil action case exceed the sum of \$150,000.00 exclusive of interest and costs;
- ☐ Relief other than monetary damages is sought.

DATE: 7/31/17

Attorney-at-Law

30380

Attorney I.D.#

NOTE: A trial de novo will be a trial by jury only if there has been compliance with F.R.C.P. 38.

I certify that, to my knowledge, the within case is not related to any case now pending or within one year previously terminated action in this court except as noted above.

DATE: _____

Attorney-at-Law

30380

Attorney I.D.#

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CASE MANAGEMENT TRACK DESIGNATION FORM

GOLO, LLC

CIVIL ACTION

v.

ZOCO PRODUCTIONS, LLC;
HARPO PRODUCTIONS, INC.; MEHMET
OZ, M.D.; and KERI GLASSMAN

NO.

In accordance with the Civil Justice Expense and Delay Reduction Plan of this court, counsel for plaintiff shall complete a Case Management Track Designation Form in all civil cases at the time of filing the complaint and serve a copy on all defendants. (See § 1:03 of the plan set forth on the reverse side of this form.) In the event that a defendant does not agree with the plaintiff regarding said designation, that defendant shall, with its first appearance, submit to the clerk of court and serve on the plaintiff and all other parties, a Case Management Track Designation Form specifying the track to which that defendant believes the case should be assigned.

SELECT ONE OF THE FOLLOWING CASE MANAGEMENT TRACKS:

- (a) Habeas Corpus – Cases brought under 28 U.S.C. § 2241 through § 2255. ()
- (b) Social Security – Cases requesting review of a decision of the Secretary of Health and Human Services denying plaintiff Social Security Benefits. ()
- (c) Arbitration – Cases required to be designated for arbitration under Local Civil Rule 53.2. ()
- (d) Asbestos – Cases involving claims for personal injury or property damage from exposure to asbestos. ()
- (e) Special Management – Cases that do not fall into tracks (a) through (d) that are commonly referred to as complex and that need special or intense management by the court. (See reverse side of this form for a detailed explanation of special management cases.) (x)
- (f) Standard Management – Cases that do not fall into any one of the other tracks. ()

7/31/17
Date

[Signature]
Attorney-at-law

GOLO, LLC

[Signature]
Attorney for

(215) 981-4401

(215) 981-4750

tilleryk@pepperlaw.com

Telephone

FAX Number

E-Mail Address

**Civil Justice Expense and Delay Reduction Plan
Section 1:03 - Assignment to a Management Track**

- (a) The clerk of court will assign cases to tracks (a) through (d) based on the initial pleading.
- (b) In all cases not appropriate for assignment by the clerk of court to tracks (a) through (d), the plaintiff shall submit to the clerk of court and serve with the complaint on all defendants a case management track designation form specifying that the plaintiff believes the case requires Standard Management or Special Management. In the event that a defendant does not agree with the plaintiff regarding said designation, that defendant shall, with its first appearance, submit to the clerk of court and serve on the plaintiff and all other parties, a case management track designation form specifying the track to which that defendant believes the case should be assigned.
- (c) The court may, on its own initiative or upon the request of any party, change the track assignment of any case at any time.
- (d) Nothing in this Plan is intended to abrogate or limit a judicial officer's authority in any case pending before that judicial officer, to direct pretrial and trial proceedings that are more stringent than those of the Plan and that are designed to accomplish cost and delay reduction.
- (e) Nothing in this Plan is intended to supersede Local Civil Rules 40.1 and 72.1, or the procedure for random assignment of Habeas Corpus and Social Security cases referred to magistrate judges of the court.

**SPECIAL MANAGEMENT CASE ASSIGNMENTS
(See §1.02 (e) Management Track Definitions of the
Civil Justice Expense and Delay Reduction Plan)**

Special Management cases will usually include that class of cases commonly referred to as "complex litigation" as that term has been used in the Manuals for Complex Litigation. The first manual was prepared in 1969 and the Manual for Complex Litigation Second, MCL 2d was prepared in 1985. This term is intended to include cases that present unusual problems and require extraordinary treatment. See §0.1 of the first manual. Cases may require special or intense management by the court due to one or more of the following factors: (1) large number of parties; (2) large number of claims or defenses; (3) complex factual issues; (4) large volume of evidence; (5) problems locating or preserving evidence; (6) extensive discovery; (7) exceptionally long time needed to prepare for disposition; (8) decision needed within an exceptionally short time; and (9) need to decide preliminary issues before final disposition. It may include two or more related cases. Complex litigation typically includes such cases as antitrust cases; cases involving a large number of parties or an unincorporated association of large membership; cases involving requests for injunctive relief affecting the operation of large business entities; patent cases; copyright and trademark cases; common disaster cases such as those arising from aircraft crashes or marine disasters; actions brought by individual stockholders; stockholder's derivative and stockholder's representative actions; class actions or potential class actions; and other civil (and criminal) cases involving unusual multiplicity or complexity of factual issues. See §0.22 of the first Manual for Complex Litigation and Manual for Complex Litigation Second, Chapter 33.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

GOLO, LLC

Plaintiff,

v.

ZOCO PRODUCTIONS, LLC; HARPO
PRODUCTIONS, INC.; MEHMET OZ, M.D.;
and KERI GLASSMAN;

Defendants.

:
:
: CIVIL ACTION NO. _____
:
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COMPLAINT

Plaintiff, GOLO, LLC (“GOLO”), by and through its undersigned counsel, Pepper Hamilton LLP, hereby files this Complaint against Defendants ZoCo Productions, LLC (“ZoCo”), Harpo Productions, Inc. (“Harpo”), Mehmet Oz, M.D. (“Dr. Oz”), and Keri Glassman (“Ms. Glassman”) (collectively, “Defendants”), and in support thereof avers as follows:

JURISDICTION AND VENUE

1. This Court has jurisdiction over this Action pursuant to 28 U.S.C. §§ 1331 and 1338(a) and under the Lanham Act, 15 U.S.C. § 1121, *et seq.*

2. This Court has personal jurisdiction over Harpo and ZoCo because each transacts business and/or causes harm and tortious injury in the Commonwealth of Pennsylvania. More specifically, Harpo and ZoCo co-produce a syndicated television show – *The Dr. Oz Show* – which is broadcast across the United States, including in Pennsylvania.

3. This Court has personal jurisdiction over Dr. Oz and Ms. Glassman because each transacts business, contracts to supply things, and/or causes harm and tortious injury in the Commonwealth of Pennsylvania. More specifically, Dr. Oz and Ms. Glassman appear on the

above-referenced syndicated television show; and sell and/or promote diet and health-related products and programs in or to residents of Pennsylvania.

4. Defendants have purposefully availed themselves of the laws of Pennsylvania and engage in continuous and systematic conduct in Pennsylvania and this judicial district.

5. Venue is proper in this Court pursuant to 28 U.S.C. § 1391(b) and (c).

PARTIES

6. GOLO is a corporation organized under the laws of the State of Delaware with a principal place of business located at 630 Churchmans Road, Suite 200, Newark, Delaware 19702.

7. ZoCo is Delaware limited liability company with a principal place of business located at 1270 Avenue of the Americas, New York, New York 10020.

8. Harpo is an Illinois corporation with a principal place of business located at 110 North Carpenter Street, Chicago, IL 60607.

9. Dr. Oz is an individual who resides in Cliffside Park, New Jersey.

10. Ms. Glassman is an individual who resides in New York, New York.

FACTUAL BACKGROUND

GOLO, LLC

11. GOLO owns and sells GOLO™, a leading weight loss and wellness program that aids people all over the world in achieving their weight loss goals in a sustainable and healthy manner. (See www.golo.com.)

12. GOLO is the owner of a series of registered trademarks that include the term “GOLO” and relate to the GOLO program.

13. GOLO was the top-searched diet on Google in 2016. (*See* <https://www.google.com/trends/yis/2016/US?hl=en>.)

14. The GOLO Rescue Plan program promotes weight loss with a three-tier solution of dietary modification, lifestyle change that recommends regular exercise, and nutraceutical supplementation that helps dieters lose weight without excessively cutting calories and/or compromising their health.

15. The GOLO program includes: (1) the Release® supplement; (2) the Metabolic Fuel Matrix™; and (3) the Truth and Change™ booklet and other behavioral tools. (*Id.*) GOLO is designed to promote steady weight loss; while individual results may vary, GOLO customers can expect to lose an average of 1-2 pounds per week, which has long been regarded as a healthy and sustainable weight loss goal to minimize muscle loss.

16. The Release supplement contains a proprietary blend of ingredients that work in conjunction with the Metabolic Fuel Matrix to help manage glucose, insulin, and stress, in order to promote steady and sustainable weight loss and minimize or eliminate muscle loss during the weight loss regimen.

17. The Metabolic Fuel Matrix employs a meal plan that utilizes a Fuel Index system created by GOLO that is designed to estimate the right amount of food for a customer based on the customer's gender, age, BMI, and lifestyle activity before exercise. The meal plan is based on sound, balanced meals and snacks. A GOLO customer's typical daily intake ranges from 1300-1500 calories, before exercise, which is a higher amount than conventional diets or self-dieting strategies that usually keep the dieter's intake below 1200 calories per day. GOLO also promotes additional caloric intake when customers complete daily exercise, in order to prevent customers from creating an excessive caloric deficit state or exercise induced muscle loss.

18. GOLO® promotes lifestyle behavioral change by providing users with several tools to help adjust their eating habits, address stress and emotional eating, shop healthier, and exercise more.

19. The GOLO Rescue Plan Kit currently includes: the GOLO Quick Start Guide; Rescue Plan™; Creating Matrix Meals™; Truth & Change™; the Release supplement; and a free myGOLO.com membership. Members can choose additional Release bottles at the time of order or later via the myGOLO™ free membership site. Customers do not pay for shipping for their Rescue Plan Kit.

20. The myGOLO.com membership provides a support forum and allows members to communicate with other members following GOLO, as well as access recipes and meal plans.

21. GOLO offers a 60-day money back guarantee to its members, from the time they receive the product.

22. GOLO has earned rave reviews from its members, many of whom credit GOLO with being the catalyst for sustainable weight loss, long-lasting dietary changes, and overall improved health. (See <https://golo.com> (providing numerous member reviews of GOLO).) GOLO states on its website that the highlighted results may not be typical and each person's results may vary. (*Id.*)

23. GOLO is endorsed, and even used by, multiple doctors, many of whom share their professional opinions of GOLO on GOLO's website. (*See id.*)

24. GOLO's website identifies the "GOLO Developers" and "Customer Support Team," and outlines their mission: "to empower others to become better informed, more self-reliant and motivated to take control of their weight and adopt a healthy lifestyle that will help them achieve a better quality of life." (<https://www.golo.com/how-golo-works-s>.)

25. GOLO conducted several trials between 2009 and 2014 in South Africa and the United States to determine the efficacy and safety of its three-tier solution. (*See id.*) These studies demonstrated average weight loss of 20.6 pounds within the first 90 days of the program, 37.4 pounds after 26 weeks, and 48.6 pounds after one year. (*See id.*)

26. GOLO's products are sold exclusively through its website and customer service department; GOLO does not have traditional, brick-and-mortar stores, and it does not process orders by phone through a third-party call center.

27. GOLO keeps careful track of the amount of web traffic its website receives; among other things, GOLO records and analyzes the number of unique visitors to its website, the amount of organic internet traffic its website receives (i.e., the number of visitors who arrive at the website by searching for the term "GOLO" on Google, Bing, or Yahoo, and not simply by typing GOLO's url address into their browser), and the percentage of visitors who "click through" and purchase GOLO's products and/or services from the website.

28. GOLO drives traffic to its website through television, radio, print, and digital marketing.

29. While the numbers vary by season, GOLO's website receives an average of roughly 300,000 visitors per month. Of those visitors: approximately thirty percent (30%) have arrived organically (i.e., through a web search); and roughly four percent (4%) purchased one or more of GOLO's products, spending an average of \$75.00.

30. As reflected above, every visitor to GOLO's website (a "hit" or "click") represents real monetary value to GOLO.

THE DR. OZ SHOW

31. Dr. Oz is a medical doctor, professor, author, entrepreneur, and – most famously - television personality.

32. From roughly 2004 to 2009, Dr. Oz was a frequent guest on Harpo's *The Oprah Winfrey Show*.

33. In 2009, Harpo and ZoCo launched the *The Dr. Oz Show*, a daily, syndicated television program hosted by Dr. Oz, and, on information and belief, co-produced by Harpo and ZoCo.

34. *The Dr. Oz Show* is a one-hour “informative talk show” devoted to medical issues, personal health, and related topics.

35. *The Dr. Oz Show* is watched regularly by millions of Americans and distributed worldwide to 118 countries, and has won multiple Emmy awards for “Outstanding Informative Talk Show.”

36. *The Dr. Oz Show* is sponsored by a series of “trusted partners”; among these are several diet and health-related companies that compete with GOLO, including Aquaphor, Eucerin, and Omron. (See Ex. A, hereto.)

37. Ms. Glassman is a nutritionist who regularly appears on and contributes to *The Dr. Oz Show*.

38. During Ms. Glassman's appearances, Dr. Oz often refers to and describes Ms. Glassman as an “expert,” a “specialist,” and a “guru”; Ms. Glassman discusses various health and/or nutrition related topics; and Ms. Glassman provides reviews or analyses of – among other things – diets and weight-loss programs.

DR. OZ'S COMPETING DIET AND HEALTH-RELATED ENTERPRISES

39. Dr. Oz and Ms. Glassman are direct competitors of GOLO who are each involved in a variety of diet and health-related enterprises beyond and related to *The Dr. Oz Show*.

40. For example, Dr. Oz owns, invests in, and/or operates OzNaturals, a manufacturer of skin care products that claims to sell “top-of-the-line natural skin care products by using the best natural ingredients available.”

41. Dr. Oz also sells, promotes, and/or has financial connections to: Dr. Teal's bath and body products; No7 “anti-aging” products; USANA supplements; and multiple other diet- and health-related products.

42. Dr. Oz is the author or co-author of multiple books and health guides, including: *Food Can Fix It: The Superfood Switch to Fight Fat, Defy Aging, and Eat Your Way Healthy*; *You: Staying Young – The Owner's Manual for Looking Good and Feeling Good*; *You: On a Diet – The Owner's Manual for Waist Management*; and *You: The Owner's Manual*.

43. Dr. Oz has his own magazine (*The Good Life*), a regular column in Oprah's magazine (*O*), and a blog (blog.doctoroz.com), all of which frequently devote significant space to weight loss and diet-related topics.

44. Dr. Oz also has a website (<http://www.doctoroz.com> (“the Dr. Oz website”)), which is registered to Harpo, operated by ZoCo, and used to post clips from *The Dr. Oz Show*, publish various articles, and provide links to Dr. Oz's blog, promoted products, and books.

45. Dr. Oz also maintains a Facebook page, a Twitter account, a YouTube channel, a Google+ profile, and multiple other social media accounts, which he regularly uses to promote *The Dr. Oz Show* and his other diet and health-related enterprises, and to sell his health- and diet-related products.

MS. GLASSMAN'S COMPETING DIET AND HEALTH-RELATED ENTERPRISES

46. For her part, Ms. Glassman is the author of at least four books which promote diet plans that differ from and compete with GOLO: *The New You and Improved Diet*; *Slim Calm Sexy Diet*; *The O2 Diet*; and *The Snack Factor Diet*.

47. Ms. Glassman is also the president of Nutritious Life, a health and wellness brand, and The Nutrition School, which her website describes as “a 12-week online course created to provide an unprecedented nutrition education and a springboard for building and nurturing a successful career in health and wellness.” (Ex. B, hereto.)

48. Ms. Glassman also sells, promotes, and/or receives compensation from supplements manufactured and distributed by Life's Abundance. According to her website, Ms. Glassman “helped choose very single ingredient that went into these supplements,” which are “intended to be incorporated into [a consumer's] diet and ... life to support ... overall health, not just for 30 days, but for a lifetime.” (Ex. C, hereto.)

DR. OZ AND MS. GLASSMAN'S UNDISCLOSED CONFLICTS OF INTEREST

49. On information and belief, neither Dr. Oz nor Ms. Glassman disclose the above-described, competing enterprises to viewers of *The Dr. Oz Show* or visitors to the Dr. Oz website, or otherwise inform such viewers or visitors that they compete with the diet and health-plans they “review” and discuss on *The Dr. Oz Show* and the Dr. Oz website.

50. As a result, viewers of *The Dr. Oz Show* and visitors to the Dr. Oz website typically believe and/or assume that Dr. Oz and Ms. Glassman are independent and unbiased, and that their analyses and reviews of diet and health-related products and programs are objective, scientific, and authoritative.

51. Moreover, Dr. Oz and Ms. Glassman regularly use *The Dr. Oz Show* and the Dr. Oz website to provide more favorable, but equally illegitimate or unfounded, reviews of their own or affiliated diet and health-related products and plans.

52. For example, Dr. Oz devotes significant space on his website to his “21 Day Weight-Loss Breakthrough,” a competing diet plan the Dr. Oz website claims will allow dieters to “reach [their] health goals” and help “lose weight, reduce bloat, and boost ... energy – all within three weeks!” (Ex. D, hereto.) Yet, there are no clinical studies, research, or scientific analyses of that competing diet plan provided on the Dr. Oz website.

DR. OZ’S HISTORY OF FALSE AND MISLEADING STATEMENTS

53. Despite his medical credentials and *The Dr. Oz Show*’s popularity and awards, Dr. Oz has – on multiple occasions – been investigated, reprimanded, and sued for making false, misleading, or scientifically dubious claims on *The Dr. Oz Show* and in connection with his other diet and health-related enterprises.

54. In 2011, the United States Food and Drug Administration sent two letters to *The Dr. Oz Show*, scolding its producers for making unsubstantiated and apparently erroneous claims about the safety of apple juice. (See <https://www.fda.gov/food/resourcesforyou/consumers/ucm271746.htm>.)

55. In 2014, a panel of United States Senators criticized Dr. Oz during a hearing on consumer protection, chastising him for discussing and supporting “magic weight-loss cure[s]” on *The Dr. Oz Show* that the larger “scientific community ... almost monolithic[ally]” rejects. (See http://www.huffingtonpost.com/2014/06/17/dr-oz-congress_n_5504209.html.)

56. In 2015, a group of medical doctors publicly criticized Dr. Oz for promoting “quack treatments” and called for Columbia University to revoke his professorship and terminate

his employment. (See <https://apnews.com/d7737df9c53d407cbcb279155ac9a7c/physicians-want-dr-oz-gone-columbia-medical-faculty>.)

57. And, in early 2016, a class action lawsuit was filed against Dr. Oz in the Central District of California, in which the lead plaintiff alleged that Dr. Oz falsely promoted a supplement containing Garcinia Cambogia as a “magic weight loss cure.” (See *Woodard v. Labrada, et al.*, No. 2:16-cv-00717 (C.D. Cal.).)

58. In fact, an assessment of Dr. Oz’s claims in the *British Medical Journal* found that – during the course of 40 episodes of *The Dr. Oz Show* from 2013 – only 46% of Dr. Oz’s recommendations from those episodes were supported by medical research, and 15% of those recommendations were contradicted by medical research. (See <http://www.bmj.com/content/349/bmj.g7346>.)

THE WRITTEN GOLO® “REVIEW”

59. On or around July 11, 2017, Harpo and ZoCo published a short “review” of GOLO’s product and service to the Dr. Oz website, as part of a larger “slideshow” entitled *The Real Truth About 5 Trendy Internet Diets*, which purports to distinguish successful programs from “passing fad[s].” A true and correct copy of that written GOLO® “review” (the “Written Review”) – as pulled from http://www.doctoroz.com/gallery/real-truth-about-5-trendy-internet-diets?gallery_true=&page=2 on July 28, 2017 – is attached hereto as Exhibit E.

60. Despite its brevity, the Written Review, which did not disclose Defendants’ conflicts of interest, includes a link to Dr. Oz’s competing “21-Day Weight Loss” program, and was apparently crafted with Ms. Glassman’s “help” (see Ex. E at 1), is replete with inaccuracies, misleading statements, and blatant falsehoods.

61. For example, the Written Review falsely states that GOLO customers: “pay \$50 a month”; “receive various supplements”; and typically eat “oatmeal, apples, a handful of nuts, salmon, vegetables, Greek yogurt, and veggie soup.” (*Id.* at 7.)

62. In actuality and as demonstrated above in Paragraphs 14-25, GOLO: does not automatically bill or ship products to its customers (thus, there is no “per month” payment); only includes one supplement (Release, a patented nutraceutical), not a “variety”; and offers a flexible meal plan through the Metabolic Fuel Matrix, which allows customers to choose the foods they want from a variety of food groups, and add additional calories as needed (it does not require the customer to stick to the meager example described in the Written Review).

63. The Written Review also falsely claims the “way [GOLO’s] information is presented is confusing” and states: “[i]f you are not a fan of taking supplements regularly, [GOLO] may not be the diet for you.” (*Id.*)

64. Again, in actuality and as demonstrated above in Paragraphs 14-25, GOLO provides customers with simple, straightforward instructions and extensive details regarding GOLO, and customers do not have to take more than one supplement per day.

THE GOLO TV REVIEW

65. On July 12, 2017, Harpo and ZoCo broadcast a segment on *The Dr. Oz Show* which purported to provide a review of the GOLO program (the “TV Review”). A transcript of that segment is attached hereto as Exhibit F, and a clip of that segment is presently available online at http://www.doctoroz.com/episode/truth-about-latest-internet-diets-what-works?video_id=5494722643001.

66. As with the Written Review posted to Dr. Oz’s website, the TV Review contained numerous false and misleading statements, and did not disclose Defendants’ conflicts of interest.

67. During the TV Review, Dr. Oz and Ms. Glassman stood behind GOLO manuals (that were turned around, with their backs facing the studio and television audience) and a bottle of Release, made a series of misleading, inaccurate, and blatantly false statements regarding GOLO, and asked a woman (“Celeste”), who supposedly sampled GOLO for one week, about her experience with and opinion of GOLO.

68. On information and belief, “Celeste” (whose last name was not disclosed to viewers during the TV Review) is employed, or otherwise financially compensated, by ZoCo and/or Harpo.

69. Though framed as an informative, helpful segment for viewers, the TV Review was, in fact, a charade designed to negatively affect GOLO, dissuade viewers from purchasing GOLO, and unfairly benefit Defendants’ competing products.

70. For example, Ms. Glassman stated during the TV Review both that GOLO customers pay \$50 “for the month” and \$50 “a day”; both statements are false. GOLO’s initial purchase price is \$49.95, and that price includes a bottle of Release that can last customers up to 90 days; GOLO does not automatically renew, bill, or ship products to its customers.

71. In addition, the TV Review falsely implied that GOLO markets Release as a “miracle pill”; GOLO has never made any such claim.

72. The TV Review also falsely stated that the “research done on [GOLO] is also, of course, not surprisingly, done by the company itself.” While GOLO financed some of the studies referenced on its website, several GOLO studies were conducted overseas by independent, third parties. There are also over 100 independent, third-party studies of the safety and efficacy of the key active ingredients in the Release supplement.

73. The TV Review also mischaracterized the GOLO meal plan through a disingenuous demonstration with “Celeste,” after which Ms. Glassman summarized “Celeste’s” daily food intake as a “fairly healthy diet” that is “a little low in calories, um a little, maybe a little low in protein, perhaps a little low in fat, but it’s a fairly healthy plan.” The demonstration was in no way reflective of the actual GOLO meal plan, as more fully described in Paragraph 17, above.

74. At the segment’s conclusion, “Celeste” – who claimed to have tried GOLO for six days – stated that GOLO was a “no no” for her; and neither Dr. Oz nor Ms. Glassman qualified or couched “Celeste’s” limited experience in any way. Instead, the segment encouraged skepticism of GOLO, and dissuaded viewers from purchasing GOLO.

75. None of the Defendants contacted GOLO, requested information from GOLO, or submitted questions to GOLO, in advance of publishing the Written Review, or airing the TV Review.

76. On information and belief, none of the Defendants used, tested, studied, analyzed, or read published reports regarding GOLO in advance of publishing either the Written Review or the TV Review.

77. On information and belief, “Celeste” did not properly follow the GOLO plan, and her story appears to have been fabricated and designed solely to dissuade viewers from purchasing GOLO.

DEFENDANTS PROFIT FROM SMEARING GOLO

78. As noted above, *The Dr. Oz Show* is a highly popular daily talk show; according to published Nielsen ratings, roughly 1.1 million Americans watch *The Dr. Oz Show* each day.

79. On information and belief, Harpo, ZoCo, and Dr. Oz make the majority of their revenue from *The Dr. Oz Show* through television advertisement sales, the price of which is

largely determined by the above-referenced Nielsen ratings, and other indicia of *The Dr. Oz Show's* viewership.

80. On information and belief, a disproportionate number of advertisements on *The Dr. Oz Show* are paid for by pharmaceutical, medical, diet, and/or health-related companies and products, many of which compete with GOLO.

81. On information and belief, *The Dr. Oz Show's* viewership spikes when the show focuses on diet programs, particularly new and/or alternative diet programs that make bold claims regarding their effectiveness and safety.

82. On information and belief, Defendants have an incentive to depict, and do benefit from depicting, GOLO negatively; such negative depictions increase viewership, generate additional advertisement revenue, satisfy *The Dr. Oz Show's* sponsors that compete with GOLO, and make the products and programs Defendants sell, contribute to, invest in, or promote, look comparatively better.

DEFENDANTS' DIVERSION OF ORGANIC INTERNET TRAFFIC FROM GOLO

83. On information and belief, Defendants work or have worked together to redirect GOLO's potential and existing customers to the Dr. Oz website through various search engine optimization techniques ("SEOs"), including the use of Google's AdSense and/or AdWords programs, or similar Bing and/or Yahoo programs.

84. On information and belief, Defendants purchase online advertisements through Google's AdSense and/or AdWords programs, or similar Bing and/or Yahoo programs, including advertisements that are based upon, or incorporate, the trademarked term "GOLO," which accordingly manipulate the user's search results in Google.

85. As a result of these advertisement purchases and other SEOs, when a user searches Google, Bing, or Yahoo for "GOLO," the Written Review and TV Review, with the

corresponding URL addresses, appear on the second page of search results (despite their very recent publication and broadcast).

86. On information and belief, Defendants' use of the above-described SEOs has redirected and/or continues to redirect potential and existing GOLO customers to the Dr. Oz website, and to the products, programs, and plans Dr. Oz and Ms. Glassman review more positively, link to, sell, and/or promote, and has resulted in GOLO's loss of substantial revenue and goodwill.

87. On information and belief, Defendants receive or have received significant financial benefits from their use of the above-described SEOs, and the resulting redirection of potential and existing GOLO customers to their respective websites, including, but not limited to, additional advertisement revenue generated from or by those users' visits to the Dr. Oz website.

COUNT I
UNFAIR COMPETITION AND FALSE ADVERTISING UNDER THE LANHAM ACT,
15 U.S.C. § 1125 et seq. AS TO GOLO

88. GOLO incorporates the allegations of the foregoing paragraphs as if fully set forth herein.

89. Defendants' method of using the Dr. Oz website and SEOs in general, and the Written Review in particular, to publish false, misleading, and defamatory statements regarding GOLO, praise the products, programs, and plans Defendants are affiliated with, and/or receive compensation from, and direct readers to those other products, programs, and plans, constitutes unfair competition and/or false advertising.

90. Defendants' method of using *The Dr. Oz Show* in general, and the TV Review in particular, to publish false, misleading, and defamatory statements regarding GOLO, praise the products, programs, and plans Defendants are affiliated with, and/or receive compensation from,

and direct readers to those other products, programs, and plans, constitutes unfair competition and/or false advertising.

91. The Dr. Oz website, *The Dr. Oz Show*, and Dr. Oz and Ms. Glassman's other publications purport to provide unbiased, scientific analyses and reviews of diet and health-related products, but are actually conduits for the promotion of products, programs, and plans Defendants are affiliated with and/or receive compensation from.

92. In promoting those other products, programs, and plans, and disparaging GOLO, Defendants are making false and misleading statements about GOLO, including but not limited to the statements alleged herein.

93. Defendants' false and misleading statements are material, in that they are likely to influence customers' purchasing decisions.

94. Defendants' acts constitute willful, deliberate, false, and misleading representations of fact as to the nature and characteristics of GOLO's services, in violation of 15 U.S.C. § 1125(a)(1)(B), because the Written Review and TV Review are simply means of promoting the products, programs, and plans Defendants are affiliated with and/or receive compensation from.

95. GOLO has been and will continue to be injured as a result of Defendants' false statements, either by direct diversion of sales from itself to the products, programs, and plans Defendants are affiliated with, and/or receive compensation from, the costs to GOLO for corrective advertising to counteract Defendants' misrepresentations and advertising campaign, or by a lessening of the goodwill associated with GOLO's goods and services.

96. As a direct and proximate result of Defendants' Unfair Competition and False Advertising, GOLO has suffered and will continue to suffer monetary damages and irreparable harm.

97. GOLO is entitled to relief pursuant to 15 U.S.C. § 1125.

COUNT II
UNFAIR COMPETITION AND FALSE ADVERTISING UNDER THE LANHAM ACT,
15 U.S.C. § 1125 *et seq.* AS TO DEFENDANTS' COMPETING PRODUCTS,
PROGRAMS, AND PLANS

98. GOLO incorporates the allegations of the foregoing paragraphs as if fully set forth herein.

99. In utilizing the above-described SEOs and promoting the products, programs, and plans Defendants are affiliated with, and/or receive compensation from on the Dr. Oz website and *The Dr. Oz Show*, Defendants appear to be making false and misleading statements about said products, including but not limited to the statements alleged herein.

100. Defendants' apparently false and misleading statements are material, in that they are likely to influence customers' purchasing decisions.

101. Defendants' acts with respect to the products, programs, and plans they are affiliated with, and/or receive compensation from, also constitute willful, deliberate, false, and misleading representations of fact as to the nature and characteristics of its own goods and/or services, in violation of 15 U.S.C. § 1125(a)(1)(B), because the statements alleged herein are not supported by any studies, data, or facts. Defendants' misleading statements, therefore, constitute false advertising and promotion.

102. GOLO has been and will continue to be injured as a result of Defendants' false statements, either by direct diversion of sales from itself to the other products, programs, and

plans Defendants are affiliated with, and/or receive compensation from, or by a lessening of the goodwill associated with GOLO's goods and services.

103. As a direct and proximate result of Defendants' Unfair Competition and False Advertising, GOLO has suffered and will continue to suffer monetary damages and irreparable harm.

104. GOLO is entitled to relief pursuant to 15 U.S.C. § 1125.

COUNT III
TRADE LIBEL
PENNSYLVANIA COMMON LAW

105. GOLO incorporates the allegations of the foregoing paragraphs as if fully set forth herein.

106. The above-mentioned statements were paid for and/or published by Defendants on the Dr. Oz website and *The Dr. Oz Show*.

107. The above-mentioned statements were false and defamatory.

108. At the time Defendants published the above-mentioned statements, they knew that the statements concerning GOLO were totally false or, if not, Defendants' avoidance of the truth was in utter and reckless disregard of their truth or falsity.

109. Defendants' false and defamatory statements have severely injured GOLO, in that they have tended to blacken and besmirch GOLO's reputation.

110. Each of the aforementioned defamatory statements was understood by third parties to pertain to and defame GOLO.

111. Defendants' defamatory publication was so outrageous and malicious as to warrant the imposition of punitive damages.

112. As a proximate result of Defendants' malicious, intentional, and reckless conduct as set forth above, GOLO is entitled to such damages as will compensate it for the injury to its professional reputation, as well as punitive damages to punish Defendants for their conduct and deter Defendants and others similarly situated for like acts in the future.

**COUNT IV
UNFAIR COMPETITION
PENNSYLVANIA COMMON LAW**

113. GOLO incorporates the preceding paragraphs as if fully set forth herein.

114. Defendants are in competition with GOLO for internet traffic and/or website clicks or hits.

115. Dr. Oz and Ms. Glassman are also in competition with GOLO in the diet and weight-loss market.

116. Defendants' incorrect and misleading "reviews" concerning the GOLO program, and diversion of organic internet traffic, constitute unfair competition under Pennsylvania common law.

117. Defendants' false and/or misleading descriptions of the Dr. Oz website and *The Dr. Oz Show* as informational and authoritative also constitute unfair competition under Pennsylvania common law.

118. More specifically, Defendants' false and/or misleading descriptions of the Dr. Oz website and *The Dr. Oz Show*, and misuse of the GOLO name and trademarks in their incorrect and misleading "reviews" of the GOLO program, their online and television advertising, and their other SEOs, amount to:

- false description and/or designation of origin with respect to both GOLO and the Dr. Oz website, *The Dr. Oz Show*, and "reviews" thereon;
- deceptive marketing to GOLO's commercial detriment;
- an unfair method of competition for internet traffic and/or website clicks or hits; and/or

- with respect to Dr. Oz and Ms. Glassman, an unfair method of competition for diet and weight loss products and programs.

119. GOLO has more than a reasonable basis to believe that, as a direct and proximate result of Defendants' unfair competition, GOLO has been injured.

PRAYER FOR RELIEF

WHEREFORE, GOLO prays for a judgment in its favor and against Defendants on the claims set forth above and requests that this Court award GOLO compensatory and punitive damages, attorneys' fees and costs, and such other and further relief as this Court may deem just and equitable under the circumstances.

JURY TRIAL DEMANDED

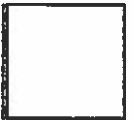
Plaintiff hereby exercises its right to trial by a competent jury of its peers.



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Dated: July 31, 2017

EXHIBIT “A”



TRUSTED SPONSORSHIP PARTNERS

Dr. Oz considers anyone that uses his name or picture to try to sell you a product or supplement reckless and dangerous. Here's a list of our trusted sponsorship partners.



About Our Partners

Here is the list of our Trusted Sponsorship Partners.

USANA



Aquaphor



Eucerin



Omron



No7



Dr. Teals

Enter Your Health Questions for Dr. Oz

TODAY'S TOP STORIES

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Which Belly Fat Type Are You?

Quiz: What's Your Belly Fat Type?

Print the 3-Day Reset Regimen

Is Sugar Making You Fat?

The 3-Day Reset Regimen: Eat Carbs Without Gaining Weight

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EXHIBIT “B”



LOG IN



Get to Know Nutritious Life & Keri Glassman

I was born to be a nutritionist. Yup, it's that simple. When I was in 7th grade science class I said to my friend Amy, "I'm craving almonds, my body must need vitamin E." Yes, I was a dork. No, I had no idea what vitamin E was! I didn't have a clue as to what I was really talking about (don't worry, I do now!) but I clearly had an innate interest in nutrition and the body.

Fast forward to my college athlete days...I was a girl stuck between wanting to fit into a pair of skinny jeans and fueling myself to wear a pair of cleats. Why did I have to choose? This is when my real true desire to be healthy, thin and strong came together. Even though I didn't start my private practice until a decade later, this was the real birth of Nutritious Life. Just by being here, you are joining the Nutritious Life community and I am so excited for you to be a part of it!

XO,
Keri

The Nutritious Life Mission

"Nutritious Life" is a new way of looking at nutrition. It reaches beyond a good diet and takes a whole person approach to health, wellness and beauty. We teach people to listen to their bodies and empower them with the support and tools they need to create change towards an enriching and balanced life.



Meet Keri Glassman

Nationally recognized celebrity nutritionist, registered dietitian, healthy cooking expert and published author Keri Glassman is the founder and president of Keri Glassman, Nutritious Life, a nutrition practice and health and wellness brand, as well as The Nutrition School, a 12-week online course created to provide an unprecedented nutrition education and a springboard for building a successful career in health and wellness. She has dedicated her career to creating services and promoting education through her Nutritious Life brand. For over a decade, Keri has been a leader in advancing a “whole person” approach to health and wellness. She launched Nutritious Life Magazine, a free health and wellness app that aims to take users’ nutrition up a notch, and was also the first registered dietitian to create a real food based snack bar, KeriBar.



The Nutritionist You Know and Trust

Women’s Health Magazine embraces Keri’s practical and accessible approach. She is a member of their advisory board and writes a popular monthly column called “Lighten Up” and authors a page called “Buy 5 Drop 5” in every issue. She is on the advisory board for Yahoo Health, is the Health and Wellness partner for JW Marriott hotels, and contributes weekly to People Magazine where she critiques a celeb’s diet. Keri is also the health expert for the Today Show Tastemakers team and blogs monthly for

Livestrong.com and Foodnetwork.com. Keri was Lead Nutritionist for Turner's health and wellness entertainment brand, upwave, and the Nutritionist and Judge on the healthy cooking competition show, "Cook Your Ass Off".



Shaping Your Mind and Body

Keri has authored four books; the most recent book, **The New You and Improved Diet** (Rodale, Dec 2012) gives readers the 8 rules they need to lose weight and change their life forever. **Slim Calm Sexy Diet** (Rodale, March 2012), helps readers lose weight, conquer stress, and feel and look their best every day. **The O2 Diet** (Rodale, Dec 2009), translates complex scientific research on antioxidants into useful and useable tools that empower people to live a more Nutritious Life. **The Snack Factor Diet** (Crown, 2007) illustrates that snacking helps readers become energetic, feel younger, and lose weight. Keri also contributed to Editor-In-Chief of Women's Health Magazine, Michele Promaulayko's books, **Look Better Naked** (Rodale, 2010) and **20 Pounds Younger** (Rodale, 2014).

Here to Help in Every Way

Keri helps millions as a trusted nutrition and health expert in the media. She is dedicated to her field and to the broader goal of



educating the public, and her expertise is frequently featured on several national television programs including The Today Show, Good Morning America, Access Hollywood Live, The View, The Talk, The Chew, The Doctors, The Rachael Ray Show, The Wendy Williams Show, The Steve Harvey Show, MSNBC, CNN and HLN. Keri hosts an original series called "A Little Bit Better" which is featured on Youtube's Livestrong Woman channel. She is a spokesperson for national brands that align with the Nutritious Life mission, and is a prolific writer and commentator for many blogs and websites.



Just Like You

Keri resides in New York City with her children, Rex and Maizy. If she's not watching her kids play soccer you'll probably find her trying out a new fitness class, running in central park, planning her next travel adventure, chatting it up at a farmer's market or satisfying her inner foodie at a new restaurant. You could take away potato chips forever, but don't think about removing chocolate chip cookies, her spiral notebook or her sneaker collection.

See Keri on Facebook, Twitter, Instagram, and Pinterest!

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EXHIBIT “C”


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Nutritious Life, Life's Abundance and the Best Supplements

My mission in life is to help as many people as possible take their nutrition up as many notches as possible, so they can live their most Nutritious Lives. It's really that simple.

Everyday I seek opportunities to help me accomplish my mission, and weigh opportunities that are presented to me to help me do this.

When the opportunity arose to partner with Life's Abundance to create a line of the best supplements you can find that were organic (when necessary), completely GMO free, at a cost that's accessible to most people, and that I could be 100% involved in choosing the ingredients for, it was a no-brainer.

Yep, you read that right. I helped choose every single ingredient that went into these supplements.



I'm so ridiculously excited about this, and I know you will be too once you finish reading this!

In over a decade of counseling clients in my private practice in NYC, thousands of people have come to me because they're tired, stressed, overweight, unfocused, unmotivated, and feeling like they aren't the best version of themselves.

We live in an age with amazing medical breakthroughs that save people's lives, except we're sicker, fatter and unhealthier than ever.

We're overfed and undernourished because we choose convenience over wellness and our habits are shot! I believe that having a solid nutritional foundation (and this

5 MINUTE
EASIER
TIPS



FLIRTING
BOOSTING
FOLDS FOR
BETTER SEX



HOW
BREATHING
INCORRECTLY
AFFECTS
YOUR BODY
IN MAJOR
WAYS



OILS
BROKEN
THE
VIRAL EGG



BROCCOLI
FASCIOS: DO
YOU KNOW
THE
DIFFERENCE
BETWEEN
THESE
NUTRITIOUS
VEGGIES

doesn't have to compromise convenience or taste!) combined with the other pillars of a Nutritious Life can help anyone attain and sustain a healthy body, mind and life.

Each of the products I created with Life's Abundance contributes to building that solid foundation in some way. So, if you or someone you know is trying to take their nutrition up a notch, I'm glad you're here.



Why I Partnered on a Line of the Best Supplements

We all know we should eat better and increase the nutritional value we get from food on a daily basis, but many of us either don't know how or we simply can't make it happen. Sometimes, it's just not realistic to get all the vitamins and minerals we need from the food we eat, especially with issues of depleted soil, eating processed and overcooked food, and not eating enough fruits and vegetables.

This is why I've been recommending supplements for years — because they supplement what is hopefully a healthy diet to begin with. Think of them like insurance for your body — they won't replace solid nutrition, but when your body needs a little extra help, you've got it.

There are a handful of supplements that I've always recommended to my clients because I think they're the most important ones for optimal health, so naturally they were the first products we developed, and we focused on formulating them in an easy to digest way.



CAN CHEESE BE PART OF A HEALTHY DIET?



LEANNE SILAH PROMOTES FEMALE FERTILITY AND LAYS THE FOUNDATION FOR BREAKFAST



THE OFFICIAL NUTRITIOUS LIFE GUIDE TO HEALTHY GROCERIES



Fish Oil Liquid
 Fish Oil Capsules
 Plant Protein Powder
 Greens Blend
 Multivitamin
 Probiotic
 Minerals & Antioxidants

We carefully handpicked each and every ingredient – if it's in there, it's in there for a reason – and left out any that posed a health concern or just flat out didn't need to be included.

Supplements aren't for everyone, especially those that are already eating an incredibly clean diet or are following a plan that guarantees they're getting in all the vitamins and minerals they need. But they're great for anyone that doesn't fit those categories, no matter how close or far from that end of the healthy eating spectrum they are.

By adding supplements to your daily routine, you may start to feel a little healthier and more motivated, which can slowly make you become more mindful of what you eat. When you learn to make better food choices and feel better in your body, it's a game changer for your whole your life.

Feeling good comes from the inside (mentally and physically), and creating change in your wellness routine can happen without deprivation.

These products are not a diet – they're intended to be incorporated into your diet and your life to support your overall health, not just for 30 days, but for a lifetime. This is why I've incorporated them into my pillars of a Nutritious Life philosophy.



Why I Partnered with Life's Abundance

I've had many opportunities to get involved with other companies before, but I never wanted to work with a company that I didn't believe in or that didn't share my same values and goals. When I met the team at Life's Abundance it was clear we shared the same beliefs about health and wellness and our goals were in sync.

They're an employee-owned company and they take a great deal of pride in doing solid work. They've been providing top quality products for pets since the 90s and a select group of dietary supplements for people since 2003. The introduction of these new products we worked on together represents a significant expansion of their dietary supplement line.

Life's Abundance is known for making top notch products, having awesome customer



LIFE'S ABUNDANCE

service, and taking care of their people. And by people, I mean their employees, distributors, and customers. Pretty much everyone.

Distributors? Yep. They give people an opportunity to help support themselves and/or their families, have a little more freedom and a lot more fun by welcoming passionate people like you and me to become independent distributors for their products. What's better than helping people live more nutritious lives and earning a great income while doing it?!



Why You Should Partner With Me

I love, as in L-O-V-E what I do. In over 10 years of counseling clients one on one in my private practice and reaching millions of others via national TV, I know how incredibly difficult it can be to make healthy choices and to change your diet and lifestyle. This is why I lovvvvvve making it easier for people!

I also know that I'm very lucky to earn a living and support my family doing something that I am so uber passionate about. And I want to help others have this opportunity, too.

So many people have jobs that they aren't passionate about. They're caught up in the rat race and the daily grind and struggle of working harder and harder and never having enough time left. It's not easy.

Others may like their job and may be super passionate about what they're doing but they just can't seem to make ends meet at the end of the month.

Or worse, some people experience both. Sound familiar?

Through my partnership with Life's Abundance, I can now provide people with the best supplements I know, give them an opportunity to better financially support themselves and/or their families, and have a little more freedom and a lot more fun.



I truly believe that success comes from making money

doing something you're passionate about and actually enjoying it on a daily basis. Like I said, what's better than helping people live a healthier life and earning a great income while doing it? In my mind, nothing.

Joining my team and becoming an affiliate is such an easy way to expand your wellness business. If you're a health coach, registered dietitian, doctor, yoga teacher, nutritionist, personal trainer, massage therapist, pilates instructor, chiropractor, healthy chef, or overall health nut (like me!), chances are you already recommend supplements to people.

Yep, you tell them exactly what to take, which brands you love, where to buy them, and then you send them on their way to a better life and make no money in the process.

There's a better way for everyone.

What if you found a product you LOVED, knew exactly who created it and handpicked all the ingredients in it, told those same people about it, offered them to buy it directly through you, and you made money in the process?!

It's that easy. You haven't changed a thing, except you probably have way more confidence in the product you're recommending and you made a little money for yourself at no extra cost to your client, family, or friend. If that isn't a win-win, I don't know what is.

nutritiousabundance

Learn more about joining my team! We'd love to have you, and we'll help you every step of the way!!

Join My Team!



Don't think joining my team is for you, but want to know more about the products?

[Learn More](#)


Start Living Your Nutritious Life Today!

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FIRST

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EXHIBIT “D”

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The 21-Day Weight Loss Breakthrough Diet: Print the Plan

Reach your health goals on The 21-Day Weight Loss Breakthrough Diet.

Posted on 12/05/2016



PRINT



Following a plant-based diet can help you lose weight, reduce bloat, and boost your energy — all in three weeks! You don't even have to eat the same old boring salad day in and day out. The **21-Day Weight Loss Breakthrough Diet** centers around three meals, two snacks, and unlimited vegetables every day, giving you the opportunity to enjoy real and healthy foods without counting calories or relying on prepackaged shakes or supplements. Get started on your weight-loss journey and **print out the full plan** for The 21-Day Weight Loss Breakthrough Diet.



21 THE DAY WEIGHT LOSS BREAKTHROUGH

First thing in the
**MORNING +
MID AFTERNOON**



Oolong Tea

BREAKFAST

Healthy Fat & Fiber



like avocado
toast

MID-MORNING SNACK

1 Serving Fruit



(that's 1 medium fruit or
1/2 cup berries)

LUNCH AND DINNER

(split the below foods between your next two meals; however you choose)

POWER PLANT PROTEIN
(3 SERVINGS PER DAY)

1 cup beans or legumes (options: edamame, white, adzuki, pinto, kidney, black, navy, lentils, garbanzo or lima)
1/4 block tofu
1 cup tempeh
2 tbsp. seeds (pumpkin, hemp, chia, or flax)

HEALTHY FAT (2 TBSP. OLIVE OIL)

UNLIMITED NONSTARCHY VEGGIES

Artichokes	Cucumber	Hearts of Palm	Sprouts
Artichoke Hearts	Daikon	Leeks	Sugar Snap Peas
Asparagus	Eggplant	Mushrooms	Swiss Chard
Bamboo Shoots	Greens: arugula,	Okra	Tomato
Beets	chicory, collard,	Onions	Turnips
Brussels Sprouts	endive, escarole, kale,	Pea Pods	Water Chestnuts
Broccoli	lettuce, mustard,	Peppers	Zucchini
Cabbage	radicchio, romaine,	Radishes	
Cauliflower	spinach, turnip, and	Rutabaga	
Celery	watercress	Spaghetti Squash	

SNACK 2

1 Serving Fruit

(that's 1 medium fruit or
1/2 cup berries)



and

1 Ounce of Nuts
(walnuts, almonds, pistachios)



or 1 TBSP Nut Butter
(cashew or almond)





(can add any nonstarchy
veggies to snacks)

at 10



LIMIT

Animal Protein

(poultry, eggs, fish & red meat)

No More Than 2 Times Per Week

(replace 1 serving of plant protein with
animal protein 2 times per week)

Dairy

No More Than 2 Times Per Week

ELIMINATE



Processed Foods



Sugar



Artificial Sweeteners

DAILY REGIMEN

- ☐ 2 Cups Oolong Tea
- ☐ 1/2 Avocado
- ☐ 1 Serving Whole Grains
- ☐ 3 Servings of Plant Protein
- ☐ Unlimited Nonstarchy Veggies
- ☐ 2 Tbsp Olive Oil
- ☐ 2 Servings of Fruit
- ☐ 1 Ounce Nuts or 1 Tbsp Nut Butter

Related:

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[The 21-Day Weight Loss Breakthrough Diet Recipe Box](#)

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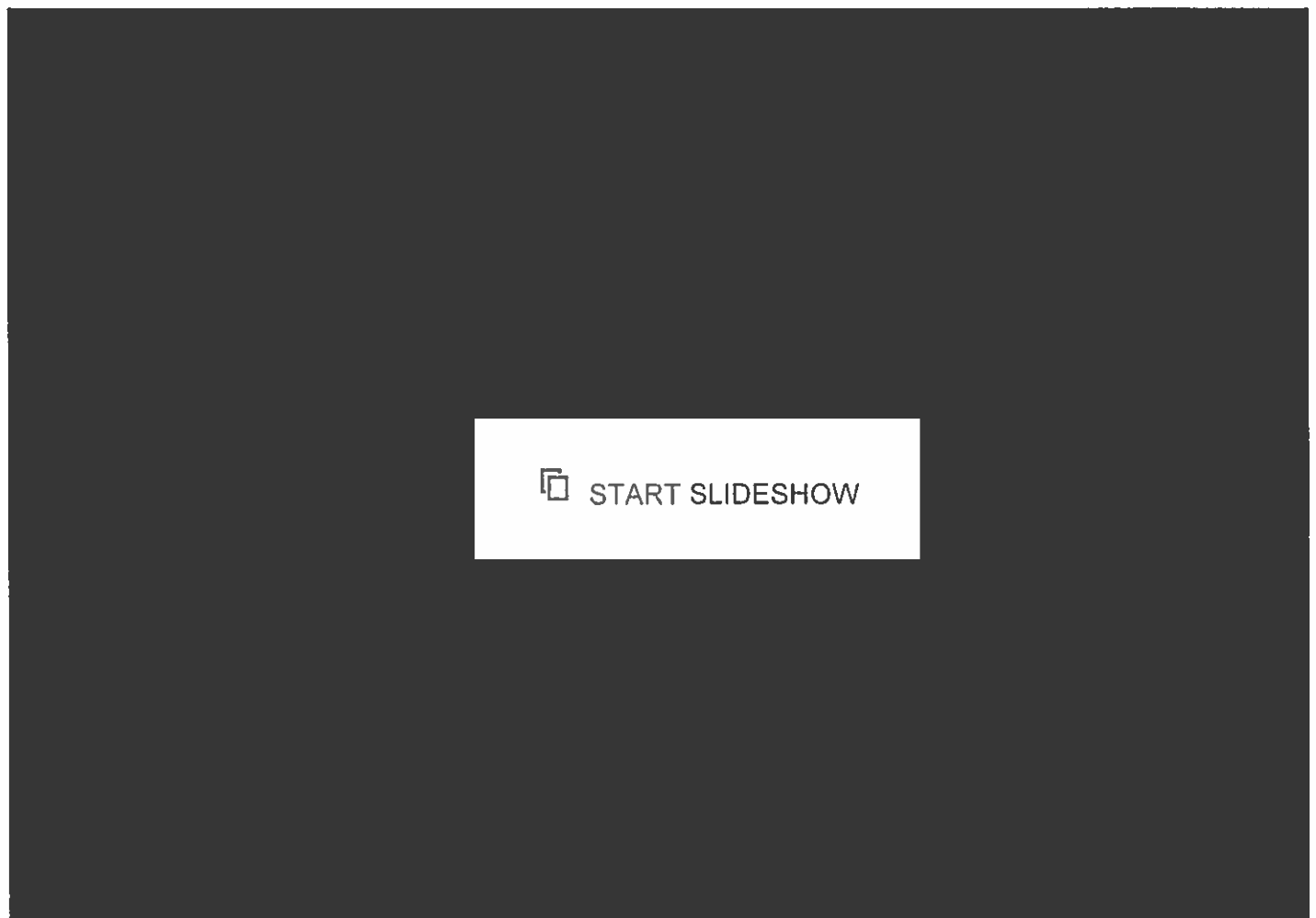
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EXHIBIT “E”



The Real Truth About 5 Trendy Internet Diets

Posted on 7/11/2017



Sooner or later, most of us will end up Googling, “How to lose weight quickly”, when an impending beach vacation or wedding is looming. With hundreds of Internet diets out

there promising major fat loss and inches trimmed, it can be tricky trying to determine which ones are worthwhile and which ones are nothing more than a passing fad. With the help of registered dietitian Keri Glassman, we are going to investigate the most trendy internet diets and find out if they're worth your while.

More: [The 21-Day Weight Loss Breakthrough Diet Instructions](#)

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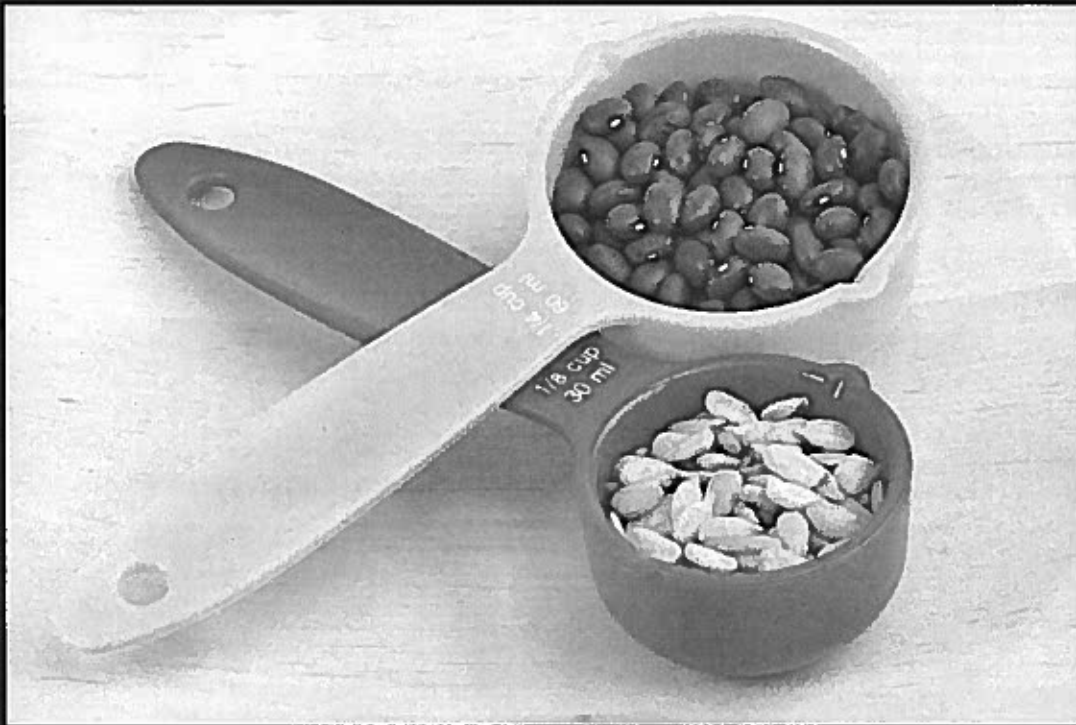
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The Real Truth About 5 Trendy Internet Diets

CLOSE X



1 of 6

The Military Diet

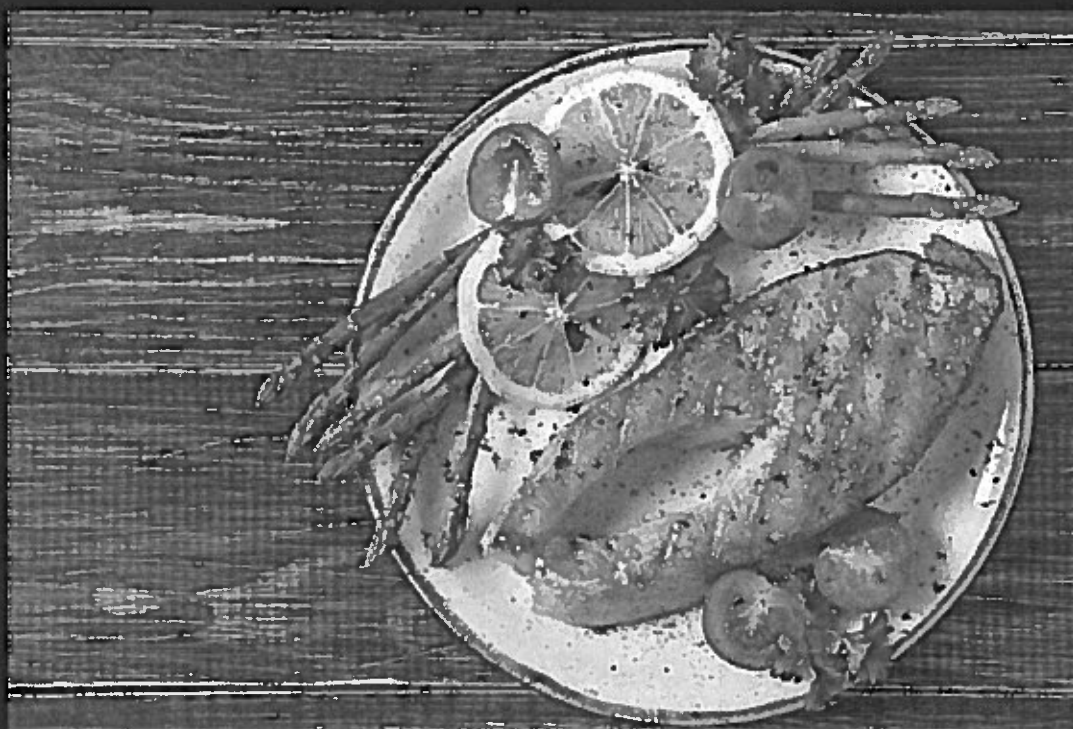
This popular meal plan, also known as the 3-Day Diet, promises to help people lose up to 10 pounds in just one week. As the name suggests, you are supposed to stick to this diet for three days throughout the week, and then for four days you can eat anything you want. During the three days, you are supposed to eat very low calorie meals, to offset the higher calorie meals you consume on the other four days. Upon closer inspection, Glassman doesn't recommend this diet, particularly because it includes processed and refined grains, processed meats with lots of sodium, no snacks, tiny lunches, too much sugar at dinner, and no greens.

More: [Dr. Oz's Two-Week Rapid Weight Loss Plan](#)



The Real Truth About 5 Trendy Internet Diets

CLOSE X



2 of 6

The GOLO Diet

This diet promises to reduce hunger, cravings, stress, and anxiety, and increase energy and stamina. In the first week of the diet, you can allegedly lose up to four pounds, 1-2 inches off your waist, and sleep better. The creators of the GOLO diet claim that weight loss isn't about calorie control, it's about controlling insulin levels. When you sign up for this diet, you pay \$50 a month, and receive various supplements, which you are meant to take with each meal. A typical day on the diet includes oatmeal, apples, a handful of nuts, salmon, vegetables, Greek yogurt and veggie soup. Glassman found that the diet is pretty basic in terms of balancing protein, healthy carbohydrates, and vegetables, but the way the information is presented is confusing. If you are not a fan of taking supplements regularly, this may not be the diet for you.

More: [Orange-Glazed Salmon With Olive Quinoa](#)



The Real Truth About 5 Trendy Internet Diets

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3 of 6

The Mono Diet

The Monotrophic Diet, often known as the Mono Diet, is based around the concept of eating only one item per meal. On this regimen, you're allowed to eat unlimited quantities per meal, as long as you stick to just one food type. The only beverage you're allowed while on the diet is water. This diet came under scrutiny by many publications, most likely due to the dangerous lack of nutrients and the monotony of it as well. Since participants can choose any type of food, they may pick something unhealthy to eat all day, rendering this diet plan useless.





The Real Truth About 5 Trendy Internet Diets

CLOSE X



4 of 6

The Master Cleanse

Often referred to as the "Lemonade Diet", this cleanse really took off when Beyoncé reportedly used the diet to lose weight before starring in a film. This cleanse, which lasts for 7-10 days, requires you to drink a mixture of lemon juice, cayenne pepper, and maple syrup, while also drinking herbal laxative teas. During this cleanse, solid food is discouraged, making it potentially dangerous in terms of how few calories are consumed, and how many nutrients are missing.

More: [14 Mega Metabolism Boosters](#)





The Real Truth About 5 Trendy Internet Diets

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5 of 6

The Atkins Diet

Developed by Dr. Robert Atkins, this diet requires participants to cut back on their sugar and carbohydrates, to encourage fat burn and weight loss. Since grains and legumes aren't welcome on this plan, typical meals include eggs, cheese, shellfish, and meat. While cutting out sugar found in items like cookies, cake, and candy is always a good idea, consuming all of these saturated fats and avoiding fiber-rich foods can potentially create nutritional deficiencies.





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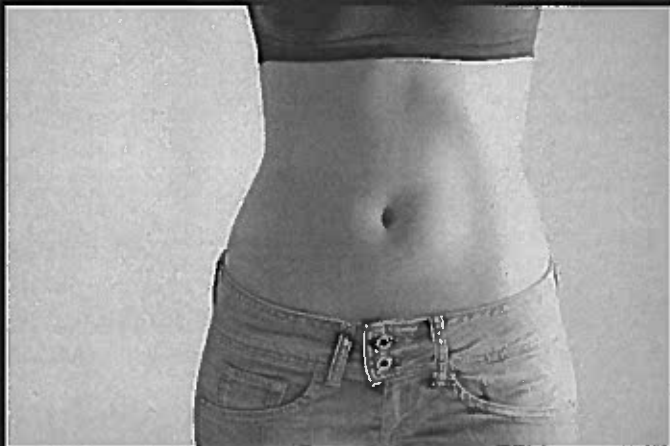
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5 Signs You Might Have Gluten Intolerance

Metabolism-Boosting Shopping List

EXHIBIT “F”

Dr. Oz: She's happy. I'm very proud of you as I always am. God bless you. So, come on over Keri. The next internet diet we tested is the GOLO diet. This my friends the number 1 spot for most searched diets on the web. Number 1! And the claim here is very simple. They say it can reduce your hunger, your cravings, stress and anxiety. So things beyond food and it can increase energy and stamina.

In the first week they say you can lose up to 4 lbs. and 1-2 inches off your waist and you will feel and sleep better. It's a tall order. It's a lot of things they're promising.

Glassman: So I mean one thing about this plan, they have you take a supplement. So each day you're taking a supplement with breakfast, lunch and dinner. They give you, this is all for \$50 by the way for the month. They give you a lot of books and packets to follow where they're teaching you about macronutrients, protein, carbs and fats, and that's a little bit confusing, but they are trying to teach you some good nutrition. But again, \$50 a day and you do have to take the supplement.

Dr. Oz: What's in the pill?

Glassman: So, the pills are supposed to help you manage stress and manage your blood sugar so there are compounds in there such as Chromium we know may help control our blood sugar. There's also Rhodiola, an adaptogen which is supposed to help us manage our stress. So there's nothing in here that I think would be harmful, but it's also not a miracle pill. And so I also want people to know again, it's not a miracle pill. And the research done on this is also, of course, not really surprisingly, done by the company itself.

Dr. Oz: So we don't know for sure. But that's why we put people on diets and see what happens to them. Celeste took this diet for a test drive; how are you Celeste, and you stayed on the diet (inaudible), right?

Celeste: Yes.

Dr. Oz: So it's almost a week. The high level, aside from the supplements, tell me what you ate for these first 6 days and how it worked for you.

Celeste: So for breakfast I had a cup of oatmeal and a small red apple. Not so bad. In between breakfast and lunch as a snack I would have 10 walnuts and 10 pecans.

Dr. Oz: I like that.

Celeste: Right, keeps me full, very filling and not so bad. For lunch, my favorite meal it was a cup of broccoli, one sweet potato, I have to have my carbs, I'm sorry (inaudible), and my 4 oz. of salmon.

Dr. Oz: Little dairy for a snack.

Celeste: So the snack ...

Dr. Oz: Hmm didn't work for you?

Celeste: It was plain Greek yogurt. Hmm. Yummy. And, I didn't add anything to it. It's definitely an acquired taste. For dinner I had a vegetable soup as you can see had spinach, green beans, carrots. What you don't see is I also had black beans in there as my protein.

Dr Oz: And you did this every day for the 6 days. So this is less calories than I would normally have. Has it worked for you? Did you lose weight?

Celeste: I did lose a pound and a half.

Dr. Oz: Okay.

Celeste: Right. Thank you, I did. As far as the diet, somebody like me, I'm very forgetful already, so I had to remember to take the supplement, not only before the meal or after the meal, in between the meal. So it was a little difficult. So for somebody who is not used to pill popping and, you know, is very forgetful, it's kind of, yeah.

Dr. Oz: What do you think about the results and also the diet itself?

Glassman: So, I mean, I think her results are great, I mean, an average amount of weight loss per week on a healthy plan would be about 2 pounds, so you're right on track there, so I think you did a good job. I mean this is a fairly healthy diet, I agree with you a little low in calories, um a little, maybe a little low in protein, perhaps a little low in fat, but it's a fairly healthy plan. You could probably follow a plan like this without paying the \$50 a month, and taking the supplement ...

Celeste: Exactly

Glassman: ... and probably still have some great results.

Dr. Oz: So Celeste, in your life, going forward, next month, would you do this program again, would you recommend it to your friends?

Celeste: So, it's a no no for GOLO...(laughing). No no for GOLO. Yeah, I definitely wouldn't. Like you just said, I could follow this diet without the supplements. It didn't reduce stress, I was still stressed at work.

Glassman: I could give you some tips for that, we could work on meditation for that one too.

Celeste: Awesome, we'll talk later.

Dr. Oz: I appreciate your honesty and I wish you the best going forward. Keri thanks, good advice as always. You can find more information on these diets and bonus trendy diets at doctoroz.com. Check it out we'll be right back.